IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

WP(C).No. 29837 of 2004(B)

PETITIONERS:

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1. **M.P.GEORGE, AGED 53 YEARS, S/O.PHILIP, WORKING AS INSPECTOR, K.S.R.T.C., PALAI UNIT (RESIDING AT MANIANCHIRA HOUSE, PALAI POST, MEENACHIL VILLAGE, KOTTAYAM DISTRICT).**

2. **K.K.GOPALAN, AGED 51 YEARS, S/O.K.S.KRISHNAN, WORKING AS INSPECTOR, K.S.R.T.C., PALAI (RESIDING AT KUZHIPPANIYIL HOUSE VELIYANNUR POST, MEENACHIL VILLAGE, KOOTTAYAM DISTRICT).**

3. **A.K.JOSE, AGED 53 YEARS, S/O.KURIAN, INSPECTOR (RTD), K.S.R.T.C, PALAI (RESIDING AT POOZHIKUNNEL HOUSE, NEENDOOR POST, OMAMTHURUTHU VILLAGE, KOTTAYAM DISTRICT).**

4. **M.C.JACOB, AGED 52 YEARS, S/O.V.C.CHACKO, WORKING AS INSPECTOR, K.S.R.T.C.PALAI, (RESIDING AT MURIKKUNEL HOUSE, UZHAVOOR POST, MEENACHIL TALUK, KOTTAYAM DISTRICT).**

5. **V.G.VASUDEVAN PILLAI, AGED 54 YEARS, S/O.N.K.GOPALA PILLAI, INSPECTOR (RTD), K.S.R.T.C.ERATTUPETTA (RESIDING AT VADAKKAMURIYIL HOUSE, KANJIRAPPALLY POST, KOTTAYAM DITRICT).**

W.P.(C). NO.29837/2004:

6. **K.RAMACHANDRAN NAIR, AGED 54 YEARS, S/O.KESAVAN NAIR, INSPECTOR (RTD), K.S.R.T.C., PALAI, (RESIDING AT KIZHAKKEDATHU HOUSE, PALLICKATHODU POST, ANICKAD, KOTTAYAM DISTRICT).**

BY ADV. SRI.T.M.RAMAN KARTHA
SMT.MANJULA NAIR
SRI.K.G.RAJANIKANTH

RESPONDENTS:
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1. **THE KERALA STATE ROAD TRANSPORT CORPORATION (KSRTC),CHIEF OFFICE AT TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM, REP.BY ITS MANAGING DIRECTOR.**

2. **SHRI.K.SUGATHAN, ESTATE OFFICER (ON CONTRACT BASIS), KERALA STATE ROAD TRANSPORT CORPORATION, TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.**

BY ADV. SRI.SRI.K.PRABHAKARAN, SC, K.S.R.T.C.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.29837/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER NO. R. DIS. (LR1)26094/71 DTD. 31/05/1973.

EXT.P.2: COPY OF THE PAY REVISION AGREEMENT DTD. 21/07/1979.

EXT.P.3: COPY OF THE ANNEXURE IV OF THE AGREEMENT DTD. 13/04/1999.

EXT.P.4: COPY OF THE ORDER NO. LRS-012426/2000 DTD. 10/08/2000.

EXT.P.5: COPY OF THE MEMORANDUM NO. 012426/2000 DTD. 10/10/2002.

EXT.P.6: COPY OF THE BULLETIN DTD. 01/12/2002.

EXT.P.7: COPY OF THE REPRESENTATION MADE BY THE PETITIONERS BEFORE THE R.2. ON 18/12/2002.

EXT.P.8: COPY OF THE REPESENTATION MADE BY THE P.4. BEFORE THE RESPONDENT SEEKING RECTIFICATION OF THE ANOMALIES IN FIXATION OF HIS SCALE OF PAY, DTD. 10/11/2000.

EXT.P.9: COPY OF THE MEMORANDUM ISSUED BY THE RESPONDENT PROMOTING THREE SPECIAL GRADE MECHANIC AS CHARGEMAN DTD. 18/11/2002.

EXT.P.10: COPY OF THE ORDER NO. 1112/GL2/03/RTC PROMOTING THREE SUPDT. AS ADMINISTRATIVE OFFICERS DTD. 03/01/2003.

EXT.P.11: COPY OF THE JUDGEMENT IN O.P. NO. 8277/03 DTD. 11/03/2003.

EXT.P.12: COPY OF THE NOTICE ISSUED ON BEHALF OF THE R.1. TO THE PETITIONERS DIRECTING THEM TO ATTEND FOR PERSONAL HEARING BEFORE THE EXECUTIVE DIRECTOR (ADMN) DTD. 17/09/2003.

EXT.P.13: COPY OF THE REPRESENTATION MADE BY THE PETITIONERS BEFORE THE 1ST RESPONDENT REFRAINING FROM THE PROCEEDINGS OF THE R.2. DTD. 17/09/2003.

EXT.P.14: COPY OF THE MEMORANDUM ISSUED BY THE R.1. REJECTING THE EXT.P.10 REPRESENTATION DTD. 14/10/2003.

EXT.P.15: COPY OF ONE OF THE ORDERS ISSUED BY THE RESPONDENTS EFFECTING LARGE SCALE PROMOTION WITHIN ITS CADRES DTD. 09/10/2003.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P.(C) No.29837 of 2004

Dated 30th March, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayer :-

> "Issue a writ of mandamus or any appropriate order or direction to the respondent to implement the promotion pattern of Inspectors on the basis of Exts.P1, P2 and P3 and to promote the petitioners as Inspectors Grade I expeditiously with effect from the respective dates in which they fell due for such promotion."

It is submitted that the petitioners have since retired from service. What the petitioners seek is retrospective promotion. It is for the petitioners to approach the first respondent within two months from today, in which case, their grievance will be duly considered by the first respondent with notice to the them and appropriate orders in accordance with law will be passed thereon, within another four months.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 30th March, 2007.